

**DEPARTMENT OF CONSUMER AFFAIRS
LEGISLATIVE DIGEST
2008 Legislative Session**

A. GENERAL CONSUMER PROTECTION BILLS

(1) BUSINESS PRACTICES

**AB 588
De Leon**

Credit History: Public Utilities

Would have, upon written consent of a consumer utility subscriber, allowed utility providers to release the subscriber's payment history to a financial institution or a consumer credit reporting agency specified by the utility subscriber.

**Died in Senate
Judiciary
Committee**

**AB 1925
Eng**

Franchise Tax Board: Professional or Occupational Licenses

Would have required a state governmental licensing entity issuing professional licenses, certificates, registrations, or permits to provide to the Franchise Tax Board (Board) the name and social security number or federal identification number of each licensee of that entity. Would have also required the Board to send a preliminary notice of suspension to a licensee that fails to pay taxes for which a notice of state tax lien has been recorded, and provided that the license of a licensee who fails to satisfy the unpaid taxes by a certain date shall be automatically suspended.

**Failed in Senate
Revenue &
Taxation
Committee**

**AB 2116
Portantino**

Automobile Sales Contracts: Conditional Contracts

Would have specified the details of the required disclosure of fees and payments necessary for a consumer to reinstate a motor vehicle sales contract after the vehicle has been repossessed for nonpayment.

**Died in Senate
Judiciary
Committee**

**AB 2142
Swanson**

Vehicle Rental Agreements: Customer Facility Charge

Permits the Oakland International Airport to require the collection of a customer facility charge for a period of up to 10 years from the imposition of the charge, if a bond or other form of indebtedness is not used for financing, or if the bond or other form of indebtedness used for financing has been paid.

**Enacted
Chapter 228**

**AB 2232
De La Torre**

Telephone Corporations: State Video Franchiseholders: Video Providers: Employee Background Checks

Prohibits any individual from entering upon the premises of a customer on behalf of a telephone corporation, state video franchise-holder, or video provider unless he or she has had a background check. Also requires background checks be conducted for applicants for employment by a telephone corporation, state video franchise-holder, or video provider if those applicants have direct contact with, or access to, the company's network or central office.

**Enacted
Chapter 195**

AB 2641 Cook	<u>Military Service: Protection: Mediator</u> Authorizes the Governor and each state agency and department to appoint a mediator to take complaints, as specified, and to resolve and coordinate the resolution of those complaints from state employees that are members of the California National Guard or members of a reserve component of the Armed Forces of the United States.	Enacted Chapter 642
AB 3059 Committee on Labor & Employment	<u>Economic & Employment Enforcement Coalition</u> Would have required the Labor and Workforce Development Agency to submit a report to the Legislature by March 1 of each year describing the overall effectiveness of the Economic and Employment Enforcement Coalition, a multi-agency labor law enforcement unit, and quantifying the results of the coalition's enforcement activities.	Vetoed
SB 374 Harman	<u>Military Service: Benefits</u> Would have required any board, commission, or bureau of the Department of Consumer Affairs (Department) to waive the initial license fee and renewal fee for any professional license issued under the regulation of the Department for any qualified active member of the Armed Forces, or their spouse.	Died in Senate Appropriations Committee
SB 1400 Simitian	<u>Sweepstakes</u> Provides new rules and disclosure requirements for solicitation materials containing sweepstakes entry materials and solicitation materials selling information regarding sweepstakes.	Enacted Chapter 749
SB 1765 Kuehl	<u>Motion Picture, Television, & Radio Contracts: 3rd-Party Rights</u> Would have prohibited the holder of rights in a motion picture, television program or series, or radio program from selling or licensing those rights for less than their fair market value where a third party is entitled to receive payment based on the proceeds from the sale or licensure.	Died on Senate Inactive File

(2) COURT SYSTEM & LEGAL SERVICES

AB 250 DeVore	<u>Nonprobate Transfers: Revocable Transfer Upon Death Deeds</u> Would have created the revocable transfer on death (TOD) deed, which would transfer real property on the death of its owner without a probate proceeding. Would have specified that a person who feloniously and intentionally kills a decedent is not entitled to real property transfers by a revocable TOD deed. Also would have removed the reference to court judgment and held that only the personal representative of the estate would be able to enforce liability to the extent necessary to protect the heirs, devisees and creditors of the decedent.	Failed in Senate Judiciary Committee
AB 1340 Jones	<u>Guardians & Conservators</u> Makes technical clarifying changes regarding accounting documents submitted to courts by guardians and conservators, hearing notices for appointing temporary guardians or conservators, and court procedures for retaining the appointment of professional fiduciaries as guardians or conservators. Also makes changes to guardian and conservator petition	Enacted Chapter 293

requirements as proposed by SB 800 (Corbett, 2007) which was held in the Assembly Appropriations Committee.

AB 1873 Lieu	<u>Courts</u> Would have changed the post-judgment/postponement fees in small claims court; provided for an ASL (American Sign Language) interpreter on the Judicial Council's Court Interpreters Advisory Panel; allowed the court to seek reimbursement for costs associated with providing minor's counsel in dependency cases, and made a technical change concerning the service of documents relating to earnings withholding orders.	Vetoed
AB 2014 Tran	<u>Conservators & Guardians: Property In Foreign Jurisdictions</u> Establishes procedures for guardians and conservators to follow when a ward's or a conservatee's estate contains property located in a foreign jurisdiction (i.e. outside of California). Also places into two chapters of the Probate Code a statutory definition of the word estate.	Enacted Chapter 52
AB 2247 Spitzer	<u>Conservatorships: Investments & Purchase of Property</u> Would have expanded investment options available to conservators and guardians that required prior authorization from the court and would also have revised the estate investment options available to conservators and guardians that did not require prior authorization from the court.	Died in Assembly Judiciary Committee
AB 2248 Spitzer	<u>Wills: Requirements</u> Requires witnesses of a will to sign the will during the testator's lifetime. Also provides the courts a secondary standard for wills intended to be used for probate which were not signed by any witnesses or by only one witness.	Enacted Chapter 53
AB 2343 Caballero	<u>Public Administrators & Conservators</u> Permits in statute the authority for the court to appoint a public administrator as a successor trustee if specified conditions are met and the public administrator consents in writing to the appointment; establishes guidelines for how a public administrator or a public guardian acting as a successor trustee would be compensated; and establishes on January 1, 2010 continuing education requirements for public administrators and public conservators.	Enacted Chapter 237
SB 685 Yee	<u>Pet Trusts</u> Repeals current law on trusts for pets or domesticated animals and enacts new, more detailed provisions for the creation and enforcement of pet trusts. It allows a trustee to terminate the trust without court approval if the trust principal does not exceed \$20,000 and clarifies that the trust is not automatically limited to 21 years to ensure that the pet is cared for until its death.	Enacted Chapter 168
SB 800 Corbett	<u>Conservatorship & Guardianship</u> Would have required a conservator to establish a general plan for the care of a conservatee; established procedures for a proposed move of residence of a conservatee; and required a professional conservator to include registration information on a petition for conservatorship.	Died in Assembly Appropriations Committee

SB 1264 Harman	<u>Wills & Trusts: No Contest Clauses</u> Repeals and recasts a part of the probate code concerning “no contest” clauses of wills, trusts, and other instruments.	Enacted Chapter 174
SB 1421 Harman	<u>Trust Administration: Income & Principal</u> Would have increased the monetary threshold to terminate a trust without court approval from \$20,000 to \$40,000, and allowed a trustee when faced with insufficient funds to charge certain disbursements to income or principal.	Died in Assembly Judiciary Committee
SB 1498 Committee on Judiciary	<u>Maintenance of the Codes</u> Makes non-substantive changes in various provisions of law to effectuate the recommendations made by the Legislative Counsel to the Legislature.	Enacted Chapter 179
(3) INTERNET / e-COMMERCE / e-GOVERNMENT		
AB 2750 Krekorian	<u>Music Piracy: Restitution</u> Provides that in a music or audio-visual piracy case, restitution shall be paid to the owner, lawful producer, or trade association acting on behalf of the owner or producer and provides that restitution includes the reasonable costs incurred by the owner, producer, or trade association acting on behalf of the owner or producer, to investigate the piracy.	Enacted Chapter 468
SB 618 Alquist	<u>State Agencies: Electronic Records</u> Would have required each state agency, no later than January 1, 2010, to maintain all of its records in an electronic format.	Died in Senate Appropriations Committee
SB 1494 McClintock	<u>State Agency Web Sites: Information</u> Would have required each state department and agency to develop and operate a Web site accessible by the public that includes specified information relating to expenditures of state funds.	Died in Senate Appropriations Committee

(4) LANDLORD TENANT / COMMON INTEREST DEVELOPMENTS

AB 567 Saldana	<u>Common Interest Development Bureau</u> Would have established until January 1, 2014, the Common Interest Development Bureau within the Department of Consumer Affairs and provided education, informal dispute resolution and mediation services to concerned stakeholders.	Vetoed
AB 952 Mullin	<u>CIDs: Assessments: Low & Moderate-Income Residents</u> Would have required the board of directors of a homeowners association in a common interest development to provide a member who is delinquent in paying assessments a payment plan, if there is an established need for a plan.	Vetoed

AB 1892 Smyth	<u>CIDs: Solar Energy</u> Prohibits common interest developments from including language in their governing documents that bans the installation of solar energy systems.	Enacted Chapter 40
AB 1921 Saldana	<u>Common Interest Developments</u> Would have revised the Davis-Stirling Common Interest Development Act that provides for the creation and regulation of common interest developments.	Died in Senate Transportation & Housing Committee
AB 1955 Plescia	<u>CIDs: Assessments</u> Would have allowed homeowners association (HOA) assessments to be based on the assessed property tax value of each home if the HOA levied those assessments in that manner on or before December 31, 2008.	Vetoed
AB 2052 Lieu	<u>Residential Tenancies: Domestic Violence</u> Permits a tenant, who is a victim of domestic violence, sexual assault, or stalking, to terminate a rental agreement and be free from any rent due beyond 30 days after quitting and allows a landlord to evict the alleged abuser based on the restraining/emergency protective order or the written police report.	Enacted Chapter 440
AB 2180 Lieu	<u>CIDs: Solar Energy</u> Requires a homeowners association in a common interest development to respond to a request from a member to install a solar energy system in his/her separate unit within 60 days.	Enacted Chapter 539
AB 2259 Mullin	<u>CIDs: Right to Rent or Lease</u> Would have permitted a homeowner in a common interest development to retain the right to rent or lease his or her unit, if the right existed at the time of ownership and to inform prospective buyers of any such restrictions before transfer of title.	Vetoed
AB 2586 Torrico	<u>Residential Tenancies: Security Deposit on Foreclosure</u> Would have provided various protections for tenants in the case of foreclosure, including requiring notification of termination of utility service and a guarantee that tenants receive their security deposits if they are forced to move after a foreclosure.	Vetoed
AB 2806 Karnette	<u>CIDs: Board Member Education</u> Would have required board members and candidates for the board of a common interest development (CID) to disclose to the governing board whether or not they had completed an education course on CID law, and required the board to provide that information to the members of the association.	Vetoed

AB 2846 Feuer	<u>CIDs: Assessments</u> Allows homeowners disputing assessments not exceeding the jurisdictional limits of the small claims court, currently \$7,500, to pay under protest the disputed amount and all other amounts levied and commence an action in small claims court.	Enacted Chapter 502
SB 948 Harman	<u>CIDs: Board Member Education</u> Would have required, beginning January 1, 2009, every member of the board of directors of a homeowners association to complete a three-hour course approved by the Department of Real Estate, relating to decisional and statutory law regarding common interest developments each term.	Died on Senate Inactive File
SB 1057 Migden	<u>Mobilehome Parks</u> Would have declared that a mobilehome owner's equity may include placement value and that local rent and price regulations on mobilehome parks serve to protect fixed-income residents, particularly senior citizens, by providing affordable housing to mobilehome park tenants in place.	Died in Senate Rules Committee
SB 1234 Correa	<u>Mobilehomes: Privacy</u> Prohibits a mobilehome park ownership or management from entering an enclosed accessory structure on a homeowner's leased or rented space, without the prior written consent of the resident.	Enacted Chapter 115
SB 1511 Ducheny	<u>CIDs: Mortgages: Successors in Interest</u> Allows a homeowners association to file a request with the office of the recorder to receive a copy of the trustee's deed of sale of any property under its governance that is foreclosed.	Enacted Chapter 527
SB 1598 Padilla	<u>Tenancies: Prohibition of Smoking Tobacco Products</u> Would have authorized a landlord of a residential building to prohibit smoking of tobacco products on the property or in any building or portion that is located on the property.	Died in Assembly Judiciary Committee

(5) MISCELLANEOUS CONSUMER ISSUES

AB 10 De La Torre	<u>Health Care</u> The introduced version of this bill would have allowed a health care provider, health care service plan, contractor, or corporation to use personal medical information to provide a written communication to a pharmacy patient during a face-to-face interaction and assist the pharmacist in providing useful information to the patient regarding a prescription drug. The bill was later amended to impact the Labor Code.	Enacted Chapter 753
AB 109 Nunez	<u>Air Pollution: Alternative Fuels & Vehicle Technologies</u> Revises and clarifies provisions of two programs enacted by AB 118 (Nunez, Chapter 750, Statutes of 2007) relating to alternative fuels, vehicle technologies, and air quality funding programs.	Enacted Chapter 313

AB 264 Mendoza	<u>Secondhand Dealers & Coin Dealers</u>	Vetoed
	Would have provided conforming changes to new forms of identification for customers of secondhand and coin dealers, which no longer require a signature, to verify borrowers' identities.	
AB 450 Emmerson	<u>State Board of Chiropractic Examiners</u>	Enacted Chapter 12
	Appropriates \$1,542,000 from the State Board of Chiropractic Examiners' (Board) Fund in augmentation of the appropriation to the Board in the Budget Act of 2007. Also declares the Legislature's intent that protection of the public is the highest priority of the Board, and specifies that the appropriation would go into immediate effect.	
AB 512 Lieber	<u>Contracts: Translation</u>	Died in Senate Banking, Finance & Insurance Committee
	Would have required supervised financial organizations that negotiate any material term of a contract or agreement, in one of five listed foreign languages, to provide either an approved disclosure form or a translated copy of the contract or agreement to the borrower.	
AB 619 Emmerson	<u>Vehicle Registration Amnesty Program</u>	Enacted Chapter 420
	Requires the Department of Motor Vehicles (DMV) to develop and administer a vehicle registration amnesty program which would be in effect from January 1, 2010, until December 31, 2010, for vehicles that were previously registered or classified incorrectly and that, pursuant to the program, become correctly registered, as defined. The DMV will be required to grant amnesty to a vehicle owner if all of the specified conditions were met by December 31, 2010, including, but not limited to, the owner filing a completed application, signed under penalty of perjury, with the DMV.	
	The <u>Governor's Signing Message</u> requires DCA & BAR to work with the author and the Legislature to make the necessary legislative changes to properly implement the program.	
AB 624 Coto	<u>Foundations: Diversity</u>	Died in Senate Business, Professions & Economic Dev Committee
	Would have required private, corporate, or public foundations with assets over \$250 million to publicly disclose racial, gender, and ethnicity data related to their governance structure and domestic grant making.	
AB 1137 Eng	<u>Chiropractors</u>	Failed in Senate Business, Professions, & Economic Dev Committee
	Would have, among other things, included the Board of Chiropractic Examiners within the Department of Consumer Affairs. Would have also specified that some of its provisions would be included on the June 3, 2008 primary election ballot.	
AB 1333 Hancock	<u>Payment of Utility Charges Following Foreclosure</u>	Vetoed
	Would have required the legal owner of a property to pay for utilities provided to a property or its tenants following a foreclosure and permitted a municipal utility district to place a lien on a property for delinquent fees or charges for the furnishing of water or sewer service to residential property.	

AB 1634 Levine	<u>Dogs & Cats: Nonspayed or Unneutered: Civil Penalties</u> Would have enacted the California Responsible Pet Ownership Act to establish that a person who owns a dog or cat that is not licensed and that has not been spayed or neutered may be cited and, if cited, must pay civil penalties, microchip, and/or sterilize the animal at the owner's cost.	Died on Senate Inactive File
AB 1861 Emmerson	<u>State Board of Chiropractic Examiners</u> Would have appropriated \$1,542,000 from the State Board of Chiropractic Examiners' (Board) Fund in augmentation of the appropriation to the Board in the Budget Act of 2007. Would have also declared the Legislature's intent that protection of the public is the highest priority of the Board, and specified that the appropriation would go into immediate effect.	Died in Assembly Appropriations Committee
AB 1866 Mendoza	<u>Service Contracts: Retailers</u> Would have required retailers that sell service contracts to maintain contract information that includes a description of the terms and conditions of the service contract, and provide that information to the purchaser of a service contract or other beneficiary upon request. Also, would have required retailers to provide to a service contract purchaser or other beneficiary a copy of the service contract within 10 business days, upon request.	Vetoed
AB 1870 De Leon	<u>Secondhand Dealers & Coin Dealers</u> Would have permitted secondhand dealers and coin dealers to accept a "Matricula Consular" along with another item of identification bearing an address, as an acceptable identifying document in a pawn transaction.	Vetoed
AB 1952 Berg	<u>Business Licensing: Exemptions: Veterans</u> Provides that every person who is honorably discharged or honorably relieved from the military, naval, or air service of the United States and is a resident of this state, is entitled to obtain a license to distribute circulars and sell any goods, other than alcoholic beverages, without payment of any business license fees.	Enacted Chapter 435
AB 2059 Nunez	<u>Mailed Solicitations: Disclosures</u> Requires a person that sends a solicitation by mail to solicit a recipient whose telephone number is not on the national "do not call" registry to consent to receive information via telephone to include a clear and conspicuous identification of the sender and of the entity that is requesting permission to call, the telephone number to which the calls are to be placed, and notice that the recipient may be contacted by a telephone solicitor.	Enacted Chapter 738
AB 2116 Portantino	<u>Automobile Sales Contracts: Conditional Contracts</u> Would have specified the details of the required disclosure of fees and payments necessary for a consumer to reinstate a motor vehicle sales contract after the vehicle has been repossessed for nonpayment.	Died in Senate Judiciary Committee

AB 2123 Lieu	<u>California Financial Literacy Initiative</u> Would have established the California Financial Literacy Initiative to be administered by the State Controller and would have provided financial literacy resources and instruction to Californians.	Vetoed
AB 2136 Mendoza	<u>Prepaid Calling Cards</u> Requires an advertisement of the price, rate, or unit value in connection with the sale of prepaid calling cards or services to clearly and conspicuously disclose any geographic limitation and all ancillary charges and conditions; and imposes additional requirements upon a company that issues prepaid calling cards or services, including a requirement that the customer be informed of any increase prior to the customer agreeing to pay for the recharge.	Enacted Chapter 739
AB 2142 Swanson	<u>Vehicle Rental Agreements: Customer Facility Charge</u> Permits the Oakland International Airport to require the collection of a customer facility charge for a period of up to 10 years from the imposition of the charge, if a bond or other form of indebtedness is not used for financing, or if the bond or other form of indebtedness used for financing has been paid.	Enacted Chapter 228
AB 2224 De La Torre	<u>California Clean Energy Curriculum & Training Initiative of 2008</u> Would have required the Labor and Workforce Development Agency, with the assistance of the Division of Apprenticeship Standards, Employment Training Panel, and the Workforce Investment Board, to create the California Clean Energy Curriculum and Training Initiative of 2008 to establish standardized curriculum for use at schools and provide outreach, assistance, and guidance to schools on creating clean energy training programs.	Died in Assembly Appropriations Committee
AB 2232 De La Torre	<u>Telephone Corporations: State Video Franchiseholders: Video Providers: Employee Background Checks</u> Prohibits any individual from entering upon the premises of a customer on behalf of a telephone corporation, state video franchiseholder, or video provider unless he or she has had a background check. Also requires background checks be conducted for applicants for employment by a telephone corporation, state video franchiseholder, or video provider if those applicants have direct contact with, or access to, the company's network or central office.	Enacted Chapter 195
AB 2272 Fuentes	<u>Vehicles: Motorcycles</u> Deletes the weight limitation from the definition of "motorcycle" (weighs less than 1,500 pounds) and deletes the separate definition for electrically powered motorcycles (less than 2,500 pounds and has a maximum speed of 45 miles per hour) and deletes the restriction regarding 3-wheeled motor vehicles driving in the preferential use lane.	Enacted Chapter 672
AB 2299 Silva	<u>Maintenance of the Codes</u> Would have revised references to recording technologies in order to reflect current uses of those devices as well as the potential development of future technologies. Would also have corrected erroneous cross-references and revised statutes made obsolete by subsequent legislative acts.	Vetoed

AB 2316 Ruskin	<u>Greenhouse Gas Emission Reductions</u> Would have required the Milton Marks "Little Hoover" Commission on California State Government Organization and Economy, on or before January 1, 2010, to conduct a study and make recommendations to the Legislature on the consolidation, improvement, and greenhouse gas emissions reduction contributions of existing vehicle retirement programs.	Died in Assembly Appropriations Committee
AB 2452 Davis	<u>Notaries Public</u> Adds specified governmental employee identification cards as an allowable form of identification for a credible witness to prove the identity of an individual who executes a written instrument and deletes a provision allowing a witness to an individual's identification who is personally known to the officer to serve as evidence for an acknowledgment.	Enacted Chapter 67
AB 2734 Krekorian	<u>Health Care Practitioners: Business Cards & Advertisements</u> Would have required dentists, physicians, osteopaths, and chiropractors to include their licensing information on advertisements and business cards. A violation by a licensed practitioner would have been punishable by a fine and a violation by an unlicensed person would have been a misdemeanor.	Failed on Assembly Floor
AB 2747 Berg	<u>End-of-Life Care</u> Requires physicians, nurses, and physician assistants to provide terminally ill patients with the opportunity to receive specified information and counseling regarding legal end-of-life care options, and requires providers who do not wish to comply with a patient's end-of-life decisions to refer the patient to an alternative provider and give the patient information on how to transfer.	Enacted Chapter 683
AB 2750 Krekorian	<u>Music Piracy: Restitution</u> Provides that in a music or audio-visual piracy case restitution shall be paid to the owner, lawful producer, or trade association acting on behalf of the owner or producer and provides that restitution includes the reasonable costs incurred by the owner, producer, or trade association acting on behalf of the owner or producer, to investigate the piracy.	Enacted Chapter 468
AB 2769 Levine	<u>Digital Broadcast Television</u> As originally written, would have required retailers who sell televisions to post a storefront notice regarding the upcoming transition from analog to digital broadcast television and consumers' options during this transition, and to provide consumers with a brochure containing additional information regarding the transition. The bill was later amended to impact the State Water Resources Control Board.	Died on Senate Floor
AB 2919 Garcia	<u>Advertising</u> Requires a business that sends a mailing that offers to assist the recipient in dealing with a governmental agency to state that it is not a governmental agency, that it is not associated with a governmental agency, and to include contact information for the governmental agency referred to.	Enacted Chapter 256
SB 509 Simitian	<u>Hazardous Materials: Toxic Substances</u> Requires that before a designated product may be manufactured or sold in	Enacted Chapter 560

California the manufacturer or seller must disclose, by one of two means, each ingredient contained in the product that exceeds an amount of one-tenth of one percent.

SB 580 Calderon	<u>Pawnbrokers</u> Provides for a minimum charge of no more than \$3 a month on any loan issued by a pawnbroker and prohibits the pawnbrokers' loan setup fee from exceeding \$5 or two percent for each loan, whichever is greater, not to exceed \$10.	Enacted Chapter 340
SB 722 Correa	<u>Decedents Estates: Judgments of Conviction</u> Before this bill was amended, it would have permitted family members of the victim, facing a murder trial, as secondary beneficiaries to collect the decedent's estate or insurance policy without waiting for the outcome of an appeal.	Died in Assembly Rules Committee
SB 731 Oropeza	<u>Massage Therapy</u> Provides for the certification of massage practitioners and massage therapists by the Massage Therapy Organization (Organization); makes the Organization subject to review by the Joint Committee on Boards, Commissions, and Consumer Protection (Joint Committee); prohibits a city, county, or other political jurisdiction from enacting or enforcing an ordinance relating to the practice of massage against an individual who is certified under the provisions of this bill, and sunsets these provisions effective January 1, 2016.	Enacted Chapter 384
SB 1167 Wiggins	<u>Insurance: Vehicle Repair Task Force</u> Would have required the Insurance Commissioner, within a specified time period, to convene a task force to review the issues arising from the implementation of these requirements (no insurer can direct, suggest or recommend a customer to a specific automotive repair dealer) and to report its findings in writing to the Legislature by December 31, 2009.	Vetoed
SB 1217 Yee	<u>Board of Pilot Commissioners: Pilots: Fitness for Duty</u> Requires the Board of Pilot Commissioners, on or before April 15, 2010 and annually thereafter, to submit to the Secretary of the Senate and the Chief Clerk of the Assembly a report containing specified information describing its activities for the preceding calendar year.	Enacted Chapter 568
SB 1257 Machado	<u>Consumer Rebates</u> Beginning July 1, 2009, would have imposed requirements on companies and retailers that offer consumer rebates including that a company allow a minimum of 15 days for a consumer to submit a rebate request.	Vetoed
SB 1319 Machado	<u>Unclaimed Property: Escheat</u> Would have improved the disposition of unclaimed property that escheats to the state; increased the holding period of unclaimed property from 18 months to 7 years; allowed the State Controller to pay interest on claims for the period it is held by the state; revised notice requirements to be sent to owners before their property escheats to the state; required greater disclosure to clients when opening an account on escheat provisions in law; and increased penalties for noncompliance of reporting and transfer requirements.	Vetoed

SB 1329 Harman	<u>Charitable Institutions: Fund Management: Dissolution</u> Repeals the Uniform Management of Institutional Funds Act (UMIFA) and enacts the Uniform Prudent Management of Institutional Funds Act which would revise and reenact the provisions contained in UMIFA.	Enacted Chapter 715
SB 1400 Simitian	<u>Sweepstakes</u> Provides new rules and disclosure requirements for solicitation materials containing sweepstakes entry materials and solicitation materials selling information regarding sweepstakes.	Enacted Chapter 749
SB 1402 Corbett	<u>Reporting Requirements</u> Would have added 10 specified Boards and Bureaus within the Department of Consumer Affairs to the entities required to provide licensing status information online; required a chiropractor to report to the Board of Chiropractic Examiners (Board) the bringing of an indictment or information regarding a felony against them or their conviction of any felony or misdemeanor; and required an insurer providing professional liability insurance to a chiropractor to send a complete report to the Board of any settlement or arbitration award of over \$2,000 of a claim or action for damages meeting certain criteria.	Vetoed
SB 1765 Kuehl	<u>Motion Picture, Television, & Radio Contracts: 3rd-Party Rights</u> Would have prohibited the holder of rights in a motion picture, television program or series, or radio program from selling or licensing those rights for less than their fair market value where a third party is entitled to receive payment based on the proceeds from the sale or licensure.	Died on Senate Inactive File
(6) NEW / PROPOSED REGULATORY PROGRAMS		
AB 311 Dymally	<u>Colon Hydrotherapy</u> Would have created the Board of Colon Hydrotherapy within the Department of Consumer Affairs to license and regulate colon hydrotherapists, prohibited the unlicensed practice of colon hydrotherapy, and established various requirements and standards for licensed colon hydro-therapists.	Failed in Assembly Business & Professions Committee
AB 567 Saldana	<u>Common Interest Development Bureau</u> Would have established until January 1, 2014, the Common Interest Development Bureau within the Department of Consumer Affairs and provided education, informal dispute resolution and mediation services to concerned stakeholders.	Vetoed
AB 1137 Eng	<u>Chiropractors</u> Would have, among other things, included the Board of Chiropractic Examiners within the Department of Consumer Affairs. Would have also specified that some of its provisions would be included on the June 3, 2008 primary election ballot.	Failed in Senate Business, Professions, & Economic Dev Committee

AB 2224 De La Torre	<u>California Clean Energy Curriculum & Training Initiative of 2008</u>	Died in Assembly Appropriations Committee
<p>Would have required the Labor and Workforce Development Agency, with the assistance of the Division of Apprenticeship Standards Employment Training Panel and the Workforce Investment Board, to create the California Clean Energy Curriculum and Training Initiative of 2008 to establish standardized curriculum for use at schools and provide outreach, assistance, and guidance to schools on creating clean energy training programs.</p>		

SB 853 Perata	<u>Dentistry: Dental Assistants & Hygienists</u>	Enacted Chapter 31
<p>Abolishes the Committee on Dental Auxiliaries (COMDA) and establishes the Dental Hygiene Committee of California to license and regulate dental hygienists. The responsibility to license and regulate dental assistants is transferred from COMDA to the Dental Board of California. Abolishes the Dental Auxiliary Fund and in its place establishes the Dental Hygiene Fund and the Dental Assisting Fund for dental hygienists and dental assistants respectively. Also reestablishes the Dental Board of California. Changes take effect July 1, 2009.</p>		

SB 1526 Perata	<u>Polysomnographic Technologists: Sleep & Wake Disorders</u>	Vetoed
<p>Would have required registration of individuals with the Medical Board of California (Board) in order to use the title "certified polysomnographic technologist" and engage in the practice of polysomnography. Also, would have required the Board to adopt regulations that established the means and circumstances under which a physician may employ a polysomnographic technician or polysomnographic trainee.</p>		

(7) TELECOMMUNICATIONS

AB 2136 Mendoza	<u>Prepaid Calling Cards</u>	Enacted Chapter 739
<p>Requires an advertisement of the price, rate, or unit value in connection with the sale of prepaid calling cards or services to clearly and conspicuously disclose any geographic limitation and all ancillary charges and conditions; and imposes additional requirements upon a company that issues prepaid calling cards or services, including a requirement that the customer be informed of any increase prior to the customer agreeing to pay for the recharge.</p>		

AB 2885 De La Torre	<u>Telecommunications: Mobile Telephony Service: Prepaid Service</u>	Enacted Chapter 745
<p>Authorizes the Public Utilities Commission to enforce the standards and requirements for consumer disclosure and services applicable to sellers of prepaid calling cards and services.</p>		